

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

LUTHER WHITMORE, et al., )  
                               )  
Plaintiffs,                 )  
                               )  
vs.                         )              Case No. 4:11CV1170 RWS  
                               )  
AMERICAN DREAM LOGISTICS, )  
INC., et al.,                 )  
                               )  
Defendants.                 )

**MEMORANDUM AND ORDER**

This matter is before me on yet another one of plaintiffs' emergency motions to compel and motion for sanctions. On January 20, 2012, plaintiffs filed a motion to compel claiming that defendants had provided them with no responses to discovery. Apparently, defendants had, however, filed timely objections to certain discovery requests. When the Court granted plaintiffs' motion to compel, it mistakenly ordered defendants to respond without objection despite the fact that objections were timely filed. Defendants have now provided responses to plaintiffs' discovery requests but continue to stand on their objections. The Court now believes that plaintiffs have all the discovery that they have shown they are entitled to at the present time unless they challenge defendants' objections through a properly filed motion, which they have not yet done.<sup>1</sup> If the Court finds out that the defendants are withholding relevant discovery based on unfounded objections, sanctions will issue. In the meantime, the Court expects the attorneys in this case to behave like professionals, consistent with their obligations to this Court, and to communicate with each other in a good faith attempt to resolve discovery issues before running

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<sup>1</sup>This is not meant to encourage plaintiffs to file another motion, however.

to the courthouse for relief.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiffs' motion for sanctions [#52] is denied, and the Court's January 23, 2012 Memorandum and Order is vacated only to the extent that it requires defendants to respond without objection.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 31st day of January, 2012.